



UNITED STATES BANKRUPCY COURT  
DISTRICT OF NEW JERSEY

OFFICE OF THE CHAPTER 13 STANDING TRUSTEE

Andrew B. Finberg, Esquire  
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Order Filed on August 5, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

YAMSEL M. BENVENUTTI  
JAVIER BENVENUTTI

Case No: 22-17142-ABA  
Hearing Date: 7/9/2024  
Judge: Andrew B. Altenburg, Jr.  
Chapter: 13

Recommended Local Form:

Followed

Modified

**ORDER REGARDING CHAPTER 13 STANDING  
TRUSTEE'S MOTION TO DISMISS OR  
CERTIFICATION OF DEFAULT**

The relief set forth on the following pages number two (2) through three (3) is hereby **ORDERED**.

**DATED: August 5, 2024**

  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

The Court having considered the motion or certification of Andrew B. Finberg, Chapter 13 Standing Trustee, and any objections filed, it is hereby

ORDERED that:

- The debtor(s)' case is hereby DISMISSED
- The debtor(s)' plan is allowed to continue at the regular monthly payment of \$2,010.00 for a period of 38 months. If the debtor(s) should fail to make any future Chapter 13 plan payment for a period of more than thirty (30) consecutive days, the Trustee shall file a Certification of Default with notice of said Certification to the debtor(s) and debtor(s)' attorney, if any, and the court shall enter an Order dismissing the debtor(s)' case.
- An Order to Employer to pay the Chapter 13 Trustee shall be prepared and filed with the Court by the debtor(s) or debtor(s)' attorney, if any, within thirty (30) days from the date of this Order.
- In the alternative, debtor shall submit all future plan payments via TFS Bill Pay
- Other:
  - IT IS FURTHER ORDERED that, pursuant to 11 U.S.C. § 349(b), this Court for cause retains jurisdiction over any additional application filed within 30 days by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

- IT IS FURTHER ORDERED that the debtor(s)' case is allow to continue with the arrears being capitalized throught the debtor(s)' plan, and the plan shall continue at \$31,328.00 which represents total receipts applied to plan.
- IT IS FURTHER ORDERED that the debtor(s)' case is allowed to continue with a lump sum payment of \_\_\_\_\_ due within \_\_\_ days from the date of this Order.
- IT IS FURTHER ORDERERED that if the debtor(s)' instant Chapter 13 case is dismissed, such dismissal shall be with prejudice and the debtor(s) shall be barred from filing for Chapter 13 bankruptcy protection for a period of \_\_\_ from the date of dismissal of debtor(s)' case.
- IT IS FURTHER ORDERED that the debtor(s)' case is allowed to continue with tier payments of
- This order incorporates a fee application for debtor(s)' attorney in the amount of \_\_\_\_\_ pending Court approval.
- A status hearing shall be held on \_\_\_\_\_.